

Joseph R. Saveri (State Bar No. 130064)  
Cadio Zirpoli (State Bar No. 179108)  
Christopher K.L. Young (State Bar No. 318371)  
Louis A. Kessler (State Bar No. 243703)  
Elissa A. Buchanan (State Bar No. 249996)  
William W. Castillo Guardado (State Bar No. 294159)  
Holden Benon (State Bar No. 325847)

**JOSEPH SAVERI LAW FIRM, LLP**

601 California Street, Suite 1505  
San Francisco, California 94108

Telephone: (415) 500-6800  
Facsimile: (415) 395-9940

Email: [jsaveri@saverilawfirm.com](mailto:jsaveri@saverilawfirm.com)  
[czipoli@saverilawfirm.com](mailto:czipoli@saverilawfirm.com)  
[cyoung@saverilawfirm.com](mailto:cyoung@saverilawfirm.com)  
[lkessler@saverilawfirm.com](mailto:lkessler@saverilawfirm.com)  
[eabuchanan@saverilawfirm.com](mailto:eabuchanan@saverilawfirm.com)  
[wcastillo@saverilawfirm.com](mailto:wcastillo@saverilawfirm.com)  
[hbenon@saverilawfirm.com](mailto:hbenon@saverilawfirm.com)

Matthew Butterick (State Bar No. 250953)  
1920 Hillhurst Avenue, #406  
Los Angeles, CA 90027  
Telephone: (323) 968-2632  
Facsimile: (415) 395-9940  
Email: mb@buttericklaw.com

*Counsel for Individual and Representative Plaintiffs and the Proposed Class*

Annette L. Hurst (State Bar No. 148738)  
**ORRICK, HERRINGTON & SUTCLIFFE**  
**LLP**  
The Orrick Building  
405 Howard Street  
San Francisco, CA 94105  
Telephone: 415 773 5700  
Facsimile: 415-773-5759  
Email: ahurst@orrick.com

*Counsel for GitHub, Inc. and Microsoft Corporation*

Vera Ranieri (State Bar No. 271594)  
**MORRISON & FOERSTER LLP**  
425 Market Street  
San Francisco, CA 94105  
Telephone: 415-268-7000  
Facsimile: 415-268-7522  
Email: VRanieri@mofo.com

*Counsel for OpenAI, Inc.; OpenAI, L.P.;  
OpenAI OpCo., LLC; OpenAI, L.L.C.; OpenAI  
GP, L.L.C.; OpenAI Global, LLC; OAI  
Corporation; OpenAI Holdings, LLC; OpenAI  
HoldCo, LLC; OpenAI Startup Fund SPV I,  
L.P.; OpenAI Startup Fund GP I, L.L.C.;  
OpenAI Startup Fund I, L.P.; OpenAI Startup  
Fund SP GP I, L.L.C. and OpenAI Startup  
Fund Management, LLC*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

J. DOE 1, et al.,  
Individual and Representative Plaintiffs,  
v.  
GITHUB, INC., et al.,  
Defendants.

Case Nos. 4:22-cv-06823-JST  
4:22-cv-07074-JST

**ORDER APPROVING  
JOINT REQUEST TO MODIFY BRIEFING  
SCHEDULE FOR PLAINTIFFS' MOTION  
TO AMEND AND CERTIFY THE  
COURT'S JUNE 24, 2024 ORDER FOR  
INTERLOCUTORY APPEAL PURSUANT  
TO 28 U.S.C. § 1292(b)**

1 Pursuant to Northern District of California Local Rule 6-1(b) and 6-2, the parties in the above-  
2 captioned action hereby jointly submit and move the Court for an order modifying the briefing schedule  
3 for Plaintiffs' Motion to Amend and Certify the Court's June 24, 2024 Order for Interlocutory Appeal  
4 Pursuant to 28 U.S.C. § 1292(b) (Dkt. No. 268) ("Motion"). The parties stipulate, subject to approval of  
5 the Court, as follows:

6 WHEREAS, on July 24, 2024, Plaintiffs filed their Motion noticing a hearing date of September 26,  
7 2024.

8 WHEREAS, Defendants' Opposition briefs are currently due August 7, 2024 and Plaintiffs' Reply  
9 briefs are currently due August 14, 2024.

10 WHEREAS, the parties have met and conferred and agreed, subject to the Court's approval, to extend  
11 the time to file Opposition briefs and Reply briefs each by two weeks.

12 WHEREAS, this is the first requested modification regarding Plaintiffs' Motion. Furthermore, this  
13 request is not made in bad faith or to cause undue delay.

14 WHEREAS, the requested extensions do not impact the noticed hearing date or any other deadlines in  
15 this case.

16 **NOW THEREFORE**, the parties, through their undersigned counsel, hereby stipulate and agree,  
17 subject to the Court's approval, to modify the briefing schedule as follows:

- 18 1. Defendants' Oppositions to the Motion shall be due on or before August 21, 2024.
- 19 2. Plaintiffs' Replies to Defendants' Oppositions to the Motion shall be due on or before  
20 September 11, 2024.

Dated: July 29, 2024

By: /s/ Annette L. Hurst  
Annette L. Hurst

Annette L. Hurst (State Bar No. 148738)  
**ORRICK, HERRINGTON & SUTCLIFFE LLP**  
The Orrick Building  
405 Howard Street  
San Francisco, CA 94105  
Telephone: 415 773 5700  
Facsimile: 415-773-5759  
Email: ahurst@orrick.com

## *Counsel for GitHub, Inc. and Microsoft Corporation*

Dated: July 29, 2024

By: /s/ Vera Ranieri  
Vera Ranieri

Vera Ranieri (State Bar No. 271594)  
**MORRISON & FOERSTER LLP**  
425 Market Street  
San Francisco, CA 94105  
Telephone: 415-268-7000  
Facsimile: 415-268-7522  
Email: VRanieri@mofo.com

*Counsel for OpenAI, Inc.; OpenAI, L.P.; OpenAI OpCo., LLC; OpenAI, L.L.C.; OpenAI GP, L.L.C.; OpenAI Global, LLC; OAI Corporation; OpenAI Holdings, LLC; OpenAI HoldCo, LLC; OpenAI Startup Fund SPV I, L.L.P.; OpenAI Startup Fund GP I, L.L.C.; OpenAI Startup Fund I, L.P.; OpenAI Startup Fund SP GP I, L.L.C. and OpenAI Startup Fund Management, LLC.*

1 Dated: July 29, 2024

2 By: /s/ Joseph R. Saveri  
3 Joseph R. Saveri

4 Joseph R. Saveri (State Bar No. 130064)  
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10 Holden Benon (State Bar No. 325847)  
11 **JOSEPH SAVERI LAW FIRM, LLP**  
12 601 California Street, Suite 1505  
13 San Francisco, California 94108  
14 Telephone: (415) 500-6800  
15 Facsimile: (415) 395-9940  
16 Email: jsaveri@saverilawfirm.com  
17 czirpoli@saverilawfirm.com  
18 cyoung@saverilawfirm.com  
19 lkessler@saverilawfirm.com  
20 eabuchanan@saverilawfirm.com  
21 wcastillo@saverilawfirm.com  
22 hbenon@saverilawfirm.com

23 *Counsel for Plaintiffs and the Proposed Class*

## **SIGNATURE ATTESTATION**

Pursuant to Local Rule 5-1(h)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from any other signatory to this document.

Dated: July 29, 2024

By: /s/ Annette L. Hurst  
Annette L. Hurst

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2 The briefing schedule for Plaintiffs' Motion to Amend and Certify the Court's June 24, 2024 Order  
3 for Interlocutory Appeal Pursuant to 28 U.S.C. § 1292(b) is extended as agreed to by the parties.  
4 Defendants' Oppositions to the Motion shall be due on or before August 21, 2024. Plaintiffs' Replies to  
5 Defendants' Oppositions to the Motion shall be due on or before September 11, 2024.

6  
7  
8  
9 Dated: July <sup>31</sup>~~29~~, 2024

10 By:   
11 HON. JON S. TIGAR  
12 UNITED STATES DISTRICT JUDGE